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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 3RD DAY OF APRIL 1998

BEFORE

THE HON'BLE MR.JUSTICE B.K.SANGALAD

WRIT PETITION NO.11400/1998

BETWEEN:

The Principal,
Maharshi Vidya Mandira,
Tiruvannamalai,
Tamilnadu rep by Raghothaman.

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PETITIONER

(By Sri BRS Gupta, Advocate)

AND

1. The Commr for Transports,
IV Floor, M.S.Bldgs,
Ambedkar Veedhi,
B'lore-1.


2. The RTA,
Mysore.

RESPONDENTS

(By Sri Prabhakar, HCGP)

This petition filed under arts 226 and 227
of the Constitution of India praying to quash
the order of R.2 vide Ann.C dt. 18-3-1998.

This petition coming on for preliminary
hearing this day the Court made the following:



O R D E R

Heard Mr.Gupta, learned counsel for the petitioner. His contention is that Annexure-C should not have been written by the RTO.

2. Heard Mr.Prabhakar, learned HCGP.

3. In view of the submission of Mr.Gupta, learned counsel for the petitioner, Annexure-C is perused. The RTO appears to have sought clarification from the Transport Commissioner. According to Mr.Gupta the RTO has no power to question the authority of the Transport Commissioner. There is no hesitation to accept this submission. But, by any stretch of imagination, Annexure-C does not give any indication that RTO is intending to violate the conditions. At the best it can only be stated that he is trying to seek better and proper advice to act under the circumstances of the case. Hence this writ petition is prematured. As such this writ petition is not maintainable. Dismissed.

Sd/-
JUDGE

